

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**HITUL GANDHI, individually and on behalf of a class of others similarly situated,**

**Plaintiffs,**

**V.**

**Case No.: 08-CV-0248 LY**

**DELL INC. and  
DELL MARKETING USA, L.P.**

**Defendants.**

**APPENDIX IN SUPPORT OF PLAINTIFFS' MOTION AND MEMORANDUM  
FOR CERTIFICATION UNDER 29 U.S.C. § 216(b) AND CLASS ACTION  
CERTIFICATION UNDER FED. R. CIV. PRO. 23**

Plaintiffs submit the following documents and exhibits in support of their Motion and Memorandum for Certification Under 29 U.S.C. § 216(b) and Class Action Certification Under Fed. R. Civ. Pro. 23.

## **Declarations**

Declaration of Joshua Barker  
Declaration of Shannon Brothers  
Declaration of Izetta Marshaee Carson  
Declaration of Catherine L. Davis  
Declaration of Hitul Gandhi  
Declaration of David Haley  
Declaration of Jamey Mendenhall  
Declaration of Tommy Moore  
Declaration of Michelle Ricketts  
Declaration of Myron H. Schrouf  
Declaration of Nicholas Stewart  
Declaration of Tracie Webb  
Declaration of Parvin Greene  
Declaration of Daniel Wojeichowski

**Deposition Testimony**

30(b)(6) Deposition Excerpts of Amy Mai Atsumi  
30(b)(6) Deposition Excerpts of Adele Jene Machinski

**Exhibits**

Exhibit A: Business Sales Representative Job Description  
Exhibit B: Declaration of Patti Powers  
Exhibit C: Defendants Dell Inc. and Dell Marketing USA L.P.'s Objections and Answers to Plaintiffs' First Interrogatories  
Exhibit D: Dell Things You Should Know  
Exhibit E: Compensation Overview February 2008  
Exhibit F: Salaried Non-Exempt Pay Calculation  
Exhibit G: Kronos: New Hire Training  
Exhibit H: Dell: Kronos SMB Training-Facilitator's Guide  
Exhibit I: Offer Letters of Employment for 1.) Hitul Gandhi 2.) Tracie Hurt 3.) Jamey Mendenhall 4.) David Haley 5.) Joshua Barker and 6.) Nicholas Stewart  
Exhibit J: Q2 FY09 SMB Sales Compensation Plan  
Exhibit K: SMB Sales Compensation Policies & Administration BSD & MMD (November 30, 2007)  
Exhibit L: SMB Sales Compensation Policies & Administration BSD & MMD (September 5, 2007)  
Exhibit M: Sales Compensation Policies HSB SMB & DCG  
Exhibit N: Order, *Scherrer v. S.J.G. Corp. d/b/a The Salt Lick*, No. 08-CA-190-SS  
Exhibit O: Order, *Oliver v. Aegis Communications Group, Inc.*, No. 08-CV-828-K  
Exhibit P: Order, *Viera, et al. v. First Union Corporation, et al.*, No. 01-CA-033 SS  
Exhibit Q: Memorandum and Order, *Coreas, et al. v. C& S Ranch*, No. L-97-30  
Exhibit R: Memorandum and Order, *Schwartz et al. v. MCI Telecommunications Corporation*, No. 98-1574  
Exhibit S: *Teletech Holdings, Inc.*, AAA Partial Final Class Certification Award of Arbitrator  
Exhibit T: Notice of Related and/or Companion Cases, *Davis v. Dell Inc.*, No. 07-CV-01401-W  
Exhibit U: Stueve Siegel Hanson LLP Firm Resume  
Exhibit V: Federman & Sherwood Firm Resume

**DATE:** January 30, 2009

Respectfully submitted,

**STUEVE SIEGEL HANSON LLP**

/s/ George A. Hanson

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was filed on the Court's CM/ECF system on January 30, 2009, and delivered to the following individuals:

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